

## CANADA PENITENTIARY:

### ANSWERS TO THE QUESTIONS PROPOSED BY MESSRS. MONDELET AND NEILSON, LOWER CANADA COM- MISSIONERS.

1. Name of State, place and Institution ?  
**Province of Canada, Township of Kingston, Pro-  
vincial Penitentiary of Canada.**

2. When commenced.

The commencement of building was in the year 1833, and one wing was so far completed in 1835 as to allow the reception of prisoners on the 1st June of that year.

3. When finished ?

The buildings are not yet all erected. The north and south wings, with the walls and roof of the east wing are built; the latter of which will be completed with all possible expedition. In order to complete the establishment according to the original plan, there yet require to be built: the west wing, (the foundation of which is finished to the level of the yard), the hospital, the women's prison, the shop, & and the boundary wall; of the latter of which nearly one-third is built.

4. Under what authority ?

Under the authority of the Statute of the late Province of Upper Canada 3d, William 4th, chapter 44.

5. Extent of ground or land belonging to the Institution ?

The ground upon which the Penitentiary is placed, including that inclosed by the boundary wall, measures nearly twelve acres.

6. Extent of the building ?

The whole length of the building is 290  $\frac{1}{2}$  feet, and the breadth at the broadest part will be 244 feet; the height of the wings is 40 feet; the height above the rotunda at the intersectional part of the building will be 105 feet.

7. Of what materials ?

The Provincial Penitentiary is built of limestone, with bricks for the sides and tops of the cells; the doors of iron, grated; the floors, with the exception of those on the north wing, are stone.

8. What distance were the heavy materials brought; and what peculiar advantages or disadvantages for building ?

The timber and iron purchased for the erection of such part of the buildings as are completed, were furnished by contract and delivered on the ground at the expense of the contractors—the former was brought from a distance of 25 miles, and the latter two miles. The stone was taken from the Quarry on the spot, and cut, and made into lime, as it was required. The principal advantage derived in building the Penitentiary is, that with the exception of part of the south wing, it has been built by convict labour at far less expense to the Province, than if it had been erected by contract or day labour; the only hired persons in the Institution being those engaged in the superintendence and watching of the convicts.

9. If built by contract or public competition, or otherwise, under whose authority, and if any allowance was made for extra work, and by whom ?

The south wing was built by hired labour, in order that some part of the establishment should be prepared for the reception of convicts; the remainder of the prison and its appurtenances will be completed by the convicts, as stated in the last preceding answer. Such materials as it was necessary to procure were furnished by contract or public competition. The work was done under the authority of the Commissioners appointed by the Statute of Upper Canada 3d, William 4th, chap. 44. No allowance was made for extra work, as it was done by daily labour of hired mechanics, under the direction of a master Builder.

10. Cost of ground?

The cost of the ground selected as a site for the Penitentiary, consisting of 100 acres, with a broken front of about 15 acres whereon the prison is built, was £1000.

11. Original cost of building?

The cost of the building so far as it has been completed, including the expense of hired labour and of superintendence, but exclusive of the expense of maintaining the convicts, is £11,186 8 8½.

12. Cost of any additions since?

The further additions to the Prison will consist of those mentioned in the 3d answer, one part of which, the east wing, will be completed or nearly so, in the season of '42, at an expense of £2,239 17, exclusive of the support of the convicts.

13. Cost of furniture and utensils at first?

At the opening of the Institution in the year 1835, the amount disbursed for furniture and utensils was £115 6 5.

14. Cost of first supply of tools and materials for the workshops?

Cost of first supply of tools and materials for the workshops, including those for the Quarry, £145 12 3½.

15. Annual average of repairs?

From 30 to 50 per cent. on implements, tools and clothing; the buildings being new, require very few repairs.

16. Out of what funds the original expenses were paid?

The public funds of the Province.

17. Amount out of State funds, and how raised?

18. Amount out of local funds, and how raised?

19. Amount out of private funds?

17, 18 and 19 do not apply to the Provincial Penitentiary.

20. Number of prisoners that can be accommodated?

Males, 220; females, 22. When the prison is completed it will be capable of containing 810 males and 70 females.

21. Number each year since commencement?

1835, 66; 1836, 46; 1837, 109; 1838, 81; 1839, 90; 1840, 90.

22. Males, married?

Do. single?

Total number of married males, 168; single, 255; widowers, 14.

23. Females, married?

Do. single?

**Total number of married females, 21 ; single, 15 ; widows, 9.**

24 Number at present ?

**Number in confinement, 153.**

25. Males, married ?

Do. single ?

**Total number of married males, 53 ; single, 84 ; widowers, 2.**

26. Females, married ?

Do. single ?

**Total number of married females, 7 ; single, 4 ; widows, 3.**

27. Age of commitment ?

**Committed under 15 years of age, 8 ; from 15 to 20, 24 ; 21 to 30, 67 ; 31 to 40, 24 ; 41 and above, 30.**

28. Original employments ?

**Original employments—trade 1, handicraft 44, agriculture 3, servants 17, day labourers 71, mariners 3, soldiers 14. Former residence of prisoners unknown.**

29. Number usually at work in each trade or employment, and hours per day ?

**Employed in the prison 12 hours a day from 1st April to 30th September, and all the hours of day light during the rest of the year; allowing two hours each day for breakfast and dinner meals:—stone cutters 25, blacksmiths 10, tailors 6, shoemakers 7, carpenters 14, cooper 1, painter 1, rope makers 20, quarrymen 8, labourers 44, seamstresses 14, nurse 1, barber 1, cook 1.**

30. Number that can read and write ?

**Forty-nine.**

31. Known to have been intemperate ?

**Eighty-six.**

32. Not natives of the United States ?

**30 natives of Upper Canada, 8 of Lower Canada, 115 of other countries.**

33. Crimes, Violence ?

Do. Theft ?

Do. Fraud ?

**The crimes committed by those in confinement may be classed as follows, viz: violence 8, theft 121, fraud 11, high treason 2, conspiracy 7, receiving stolen goods 3, arson 1.**

34. Authority by which sentenced ?

**Convicts are sent to the Penitentiary from the Courts of Quarter Sessions and Oyer and Terminer, and also by the Governor, by authority of a Provincial Statute.**

35. Duration of sentences ?

**The sentences of the convicts in confinement are as follow: 1 year and under 2 years, 25 ; 2 years, 48 ; 3 years, 35 ; 4 years, 4 ; 5 and under 6, 29 ; 6 years, 3 ; 7 years, 6 ; 14 years 2 ; for high treason and burglary, ordered for transportation, 1.**

36. For life and for what crimes ?

**None.**

37. Under what law or code sentenced ?

**The laws of Upper Canada.**

38. Escaped, and how ?

**Only one has successfully escaped since the opening of the Prison—he gained his liberty by digging a hole under the fence.**

39. Retakon ?

Several partial escapes have been made, but the parties have been pursued and brought back.

40. Number discharged before expiration of sentence, by what authority, and on whose recommendation ?

72 prisoners have been discharged by pardon, by order of the Governor, after representations of their good conduct by the Warden, and a statement of mitigating circumstances by the Judges before whom they were tried.

41. Discharged on expiration of sentence ?

292 convicts have been discharged by expiration of sentence.

42. Number of those re-committed, and after what time, or known to have been committed to other places of confinement ?

There have been 28 re-committals to the Penitentiary, whose further offences have been generally committed about six months after their previous liberation. There are no means of ascertaining what number have been committed to other places of confinement.

43. Nature of confinement in this Institution, and number of each description :—

Solitary without labour ?

Solitary with labour singly ?

Solitary with labour in company ?

Classed confinement, and labour in company or classes ?

The convicts are solitary confined, at night only. During the day they work in gaugs under the care of a Keeper, according to the description of work they perform. The trades and occupations carried on at the Penitentiary are those of blacksmiths, carpenters, stone cutters, masons, rope makers, tailors, shoemakers, coopers, quarrymen, seamstresses and labourers.

44. Nature of labour, Males ?

Do. Females ?

This is explained in answer to the question number 29.

45. Regulations and code of discipline, and by what authority made ?

These are published in the Appendix to the Journals of the House of Assembly for the late Province of Upper Canada, for the sessions of 1836 and 37. The authority by which they are made is given in the Statute of the same Province 4th, William 4th, chap. 37.

46. Usual punishments for breach of regulations or discipline ?

The whip, solitary confinement and bread and water, according to the magnitude of the offence.

47. By whom adjudged ?

Slight punishments by the keepers immediately on the commission of the offences. In cases of enormity, reference is had to the Warden or his assistant, who apportions a punishment commensurate with the offence.

48. Under whose authority, and by whom inflicted ?

Under the authority of the rules and regulations of the Board of Inspectors, referred to in the answer

to question 45, and the 29th section of the last mentioned statute.

49. Annual number punished for the last three years?

210 or 1½ per convict per year.

50. Description of offences for which punishments were the most numerous?

Talking, attempts to escape, pilfering.

51. Check over the Keepers or authority of the Prison?

The Warden and his assistant, who perambulate the yard and shops to observe that every thing goes on in pursuance of the discipline of the Institution.

52. Average number of sick per annum?

516½ number of cases of sickness per annum.

53. Ditto deaths?

2½ per annum.

54. Prevailing maladies?

Diarrhoea, febrile symptoms, rheumatism and catarrh.

55. Quality and quantity of food, clothing, and drink?

The weekly allowance to each convict, is as follows: 7½ lbs. brown bread, ½ lb. salt pork, 4½ lbs fresh beef, ½ lb. salt, ½ lb. flour, ¼ bushel potatoes, ¼ bushel Indian meal, ¼ quart vinegar, ½ qt. pease, ½ oz. pepper, ½ pint molasses. Part of the pease is made into coffee for the breakfast, and soup is made from the meat; the bread is made from flour unbolted, and the meat is of the quality known as Prime. All the provisions are "sound, wholesome and merchantable." The articles of clothing used on an average by the male convicts are: 1 cloth cap, 1 cloth stock, 1 cloth jacket, 1 pair cloth trowsers, for two years. 1 linen jacket, 1 linen waistcoat, 1 pr. linen trowsers, 1 pair braces, 3 pairs shoes, 4 pairs socks, 3 cotton shirts, 1 flannel shirt, 1 pair drawers, 2 pocket handkerchiefs, for one year. For the female convicts: 2 gowns, 2 petticoats, 2 shifts, 2 handkerchiefs, 2 pair stockings, 1 pair shoes, for one year. The quality of all the clothing is of coarse materials.

56. Moral and religious instruction?

A chaplain is appointed to the Penitentiary, whose duty it is to read prayers and preach once every Sunday, Good Friday and Christmas day, and to visit the Penitentiary occasionally during the week. Every convict who can read is furnished with a bible, and some of them with a Church of England prayer book. There is a small library of moral and religious works, which are distributed among the convicts as often as they require. A school has been established for the benefit of such of the prisoners as cannot read, and many have been taught to read and spell very correctly. The time employed for teaching is half an hour after breakfast and the same space after dinner.

57. Interest of capital disbursed for establishment, at the legal rate of the place?

Eighteen hundred pounds.

58. Average annual expenditure from commencement, and from what fund?

£4285 14 3. In this average is included the purchase of land and building materials, mechanics'

wages, pay of officers, maintenance of convicts, and every other expense incurred at the Penitentiary. The funds from which the sums expended were drawn, were from the Provincial revenue of Upper Canada.

59. Description of the administration of the Institution, its officers, their titles, duties, salaries and allowances?

The management and government of the Penitentiary is under five inspectors. The officers and others with their pay and allowances is as under:— One Warden, £300 per annum, house, fuel and candles; one Deputy, £150, do. do. do. ; one Clerk, £112 10, fuel; one Chaplain, £150; one Surgeon, £100; one master builder, £175; ten keepers each £92 10; six watchmen, each £40; six ditto £54 15; one Matron, £48, fuel and candles. The Warden is to attend constantly at the Penitentiary, to exercise a general supervision over the government, discipline and police of the Institution, to give directions to the keepers, and to examine into the state of the Penitentiary; and to sell and dispose of articles manufactured by the convicts. The Deputy Warden is specially charged with the discipline of the Prison, under the direction of the Warden, and to supply the place of the latter when absent on the affairs of the Prison; so far as the same relates to the safe keeping of the prisoners, and the discipline of the Penitentiary. The duty of the Clerk is to keep all the accounts of the Institution, and to prepare the annual statements to be laid before the Legislature. The Chaplain's duty is described in the answer to the 56th question. The Physician is to visit the prison daily at a stated hour, and prescribe for the sick convicts, and he is to attend at the prison, in addition to those visits, as often as he may be required so to do. He is to keep a register of all the sick convicts placed under his care, and the date of their entering and leaving the hospital; also a register of deceased convicts, stating their names, ages, time and cause of death.

The master builder has the superintendence of all the mechanical operations, so far as they relate to the completion of the buildings in progress of erection.

The keepers have each charge of a gang, according as the labour of the convicts is divided into different trades.

The watchmen have no controul over the convicts, further than to prevent their escape.

The matron has charge of the female convicts and superintends all their work.

60. Dito Servants, their number, wages and allowances?

There were no servants other then what we last stated at the Penitentiary.

61. Annual expenses of Prisoners' clothing and bedding?

£5 15 6 $\frac{1}{2}$ .

62. Annual expenses for food and drink?

£9 2 6.

63. Average cost of each prisoner, calculating the whole annual cost of the establishment ?

£28 11 5.

64. Annual average of purchases for work shops for the last three years ?

£1,637 10 8½; this sum includes both articles for building materials and for goods made for sale.

65. Average of sales ditto ?

£1,019 17 5, including cut stone amounting to £365 4 1.

66. Market value of goods on hand ?

The amount of property on hand at the Penitentiary, exclusive of the value of the Prison building, is £5,963 8 9.

67. Laws regulating the establishment ?

This is stated in answer to question 45.

68. Plan and description of the establishment ?

This appears from page 29 of the Report of Lower Canada Commissioners, to have been already furnished.

69. If there are any complaints of trades-people and tradesmen or others in the neighbourhood, in respect to the establishment, and what ?

There have been two or three meetings of the Mechanics on this subject, but latterly all complaints seem to have subsided.

70.—Complaints of prisoners, their nature, and means of redress ?

The only complaints made (which is but seldom) after having received punishment for offences against the rules, which are generally found to be frivolous. Cruelty on the part of a keeper would be visited with instant dismissal.

71. If prisoners generally are satisfied or dissatisfied with their treatment ?

On the discharge of Prisoners, certain questions are put to them, and nearly all their answers concur in the following particulars.

That they have never seen any punishment inflicted which they consider cruel, or so severe as to injure the health of a convict, or prevent him from attending to his daily work.

That if a convict is disposed to attend to his work, there is no difficulty in conforming to and obeying all the Prison rules and regulations.

That the cells are sufficiently large, lighted, ventilated and warm, and are as comfortable as need be.

That their food, clothing and bedding, have been wholesome, sufficient and comfortable.

That the discipline of the Penitentiary and the punishment of hard labour therein, is sufficient to deter them from the further commission of crime and calculated to produce reformation.

That the treatment of the convicts is humane.

That proper care and attention is paid to them in case of sickness.

72. General opinion as to the advantages or disadvantages of the Institution ?

This is not known.

73. Have crimes, throughout the State, increased or diminished since the establishment, in proportion to the population ?

Notwithstanding the continual increase of popu-

lation, crime, so far as numbers are concerned, remains stationary, there having been always at the end of each year, about 150 convicts in confinement.

74. Annual emigration from foreign countries into the State ?

There are no copies of the public returns on this subject here.

75. Do persons discharged readily obtain confidence and employment on certificates from Institution ?

No certificates are given to discharged convicts; they would in most cases do more harm than good, by conveying a knowledge of their previous habits.

76. What number are known to have got employment and proved worthy of confidence during the last three years ?

This cannot be ascertained.

77. What number are known to have proved worthless, during the last three years ?

There is no opportunity of knowing this, unless an opinion may be formed from the number of remittals.

78. What is the general opinion of those discharged ?

If this refers to a period subsequent to the discharge of the convicts, it cannot be ascertained, as they are very seldom heard of after their liberation. Should, however, the question be applicable to the time of their liberation, the answer is given at 71.

79. What other places of confinement are there in the State, and usual number of Prisoners in each ?

There is a Gaol in each of the Districts of the Province, but the number of Prisoners confined therein for short periods is very fluctuating.

80. Population of the State ?

The population of Upper Canada is nearly 500,000.

81. Proportion of population that can read and write ?  
This has never been ascertained.

82. Proportion of children at school ?

This can only be learned by application to the several School Trustees throughout the Province.

83. Proportion of families owners of real estate, and such as are not owners ?

This may be learned on reference to the several Clerks of the Peace in whose offices the returns are filed.

84. Number of Paupers ?

This is unknown.

85. Rate of wages of labour, without board, for the last three years, per day ?

From 2s. 6d. a 3s. per day.

86. Rate with board, per month, do. ?

Ten dollars per month.

87. Rate of board for labourers, do. ?

Eight do. do.

88. General remarks or explanations referring to any particular number of the foregoing enquiries ?

The foregoing answers are made up so as to embrace the expenditure of the last grant of money made by the Parliament of Upper Canada.

Provincial Penitentiary,  
Upper Canada,  
8th March, 1842.